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DATE: February 23, 2004

RE: US Patent Application 10/070,712
Step For Elevator (Y. Tsukahara et al.)
Our File: OT-4607

I HEREBY CERTIFY THAT THE FOLLOWING DOCUMENTS ARE HEREBY BEING
TRANSMITTED FACSIMILE TO THE U.S. PATENT AND TRADEMARK OFFICE ON
FEBRUARY 23, 2004:

- Request for Reconsideration

Sherry M. Singh
Sherry M. Singh

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Docket No.: OT-4607
Y. Tsukahara et al. : Date: February 23, 2004
Serial No.: 10/070,712 : Group Art: 3651
Filing Date: March 5, 2002 : Examiner: Gene Crawford
Title: STEP FOR ESCALATOR

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION

In response to the Office Action dated October 23, 2003, Applicants request favorable reconsideration of the above-referenced application in view of the following remarks.

REMARKS

Claims 1-6, of which claim 1 and 2 are independent, are pending in the application.

Initially, Applicants gratefully acknowledge the Examiner's indication that claim 1 is allowed, and that claims 5 and 6 would be allowable if rewritten in independent form. However, since Applicants believe that claim 2 is allowable for the reasons discussed below, claims 5 and 6 have not been so rewritten at this time.

Independent Claim 2

Claim 2 is rejected under §102(b) as allegedly being anticipated by Fischer. This rejection is respectfully traversed.

Claim 2 recites that a non-slip surface is mounted to the step rear edge, from which the riser extends downward.

According to the Office Action, Fischer discloses an escalator step that includes an allegedly non-slip surface (citing nosing 3, 40) mounted to its rear edge. Applicants respectfully disagree, since Applicants find no indication whatsoever in Fischer that the nosing is non-slip. Rather, based on the disclosure at column 1, lines 35-42 and 45-48, of Fischer, Applicants understand that the nosing is provided to permit replacement of the step edge in some cases. In one embodiment (see column 2, line 66), the nosing can also serve the function of a warning strip.

Since Fischer does not disclose (nor suggest) each feature that is recited in claim 2, Applicants request withdrawal of this rejection.

Dependent Claims

Dependent claim 3 is rejected under §102(b) as allegedly being anticipated by Fischer. Claim 4 is rejected under §103(a) as allegedly being unpatentable over Fischer in view of Saito et al. These rejections are respectfully traversed.

Claims 3 and 4 are allowable by virtue their dependence on claim 2. Saito et al., which is cited for its disclosure regarding serrated cleats, does not overcome the above-noted deficiencies in the disclosure Fischer. Further, these claims recite features in addition to those included in claim 2, and are submitted to be patentable in their own right. Further independent consideration of the dependent claims is requested.

Conclusion

For the reasons set forth above, Applicants request withdrawal of each rejections set forth in the Office Action. Favorable reconsideration is requested.

Respectfully submitted,



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